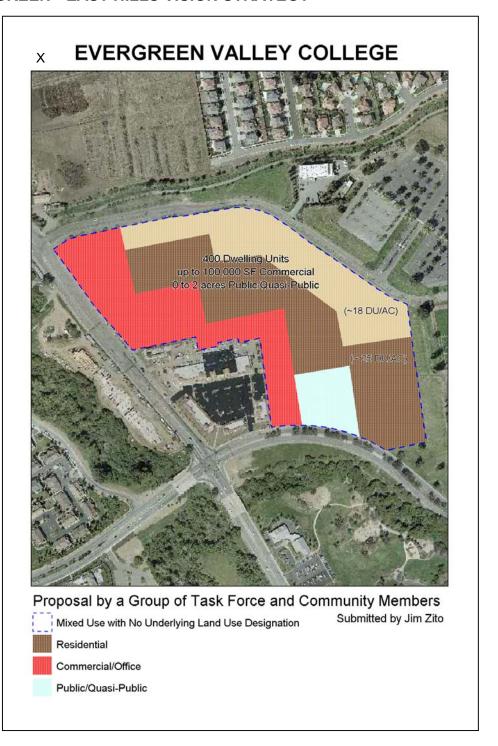


# **EVERGREEN VALLEY COLLEGE** Scenario I Public/Quasi-Public







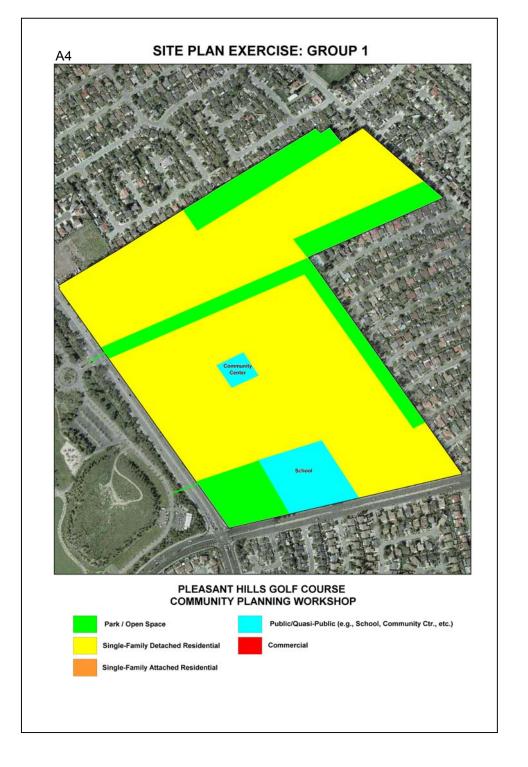


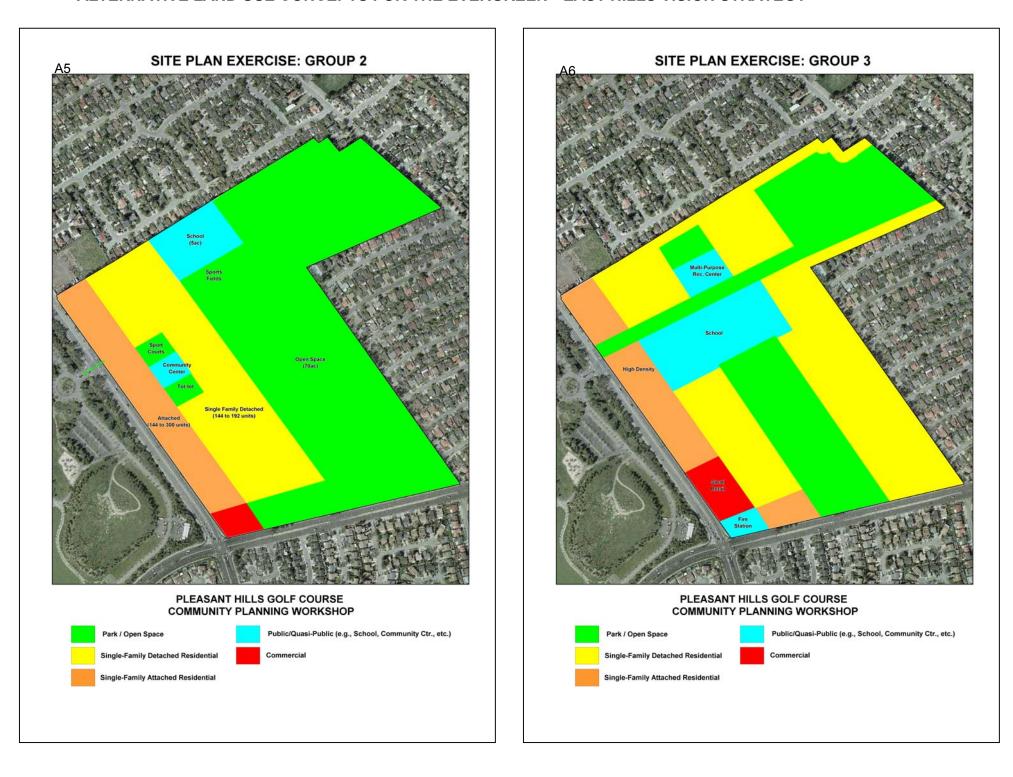




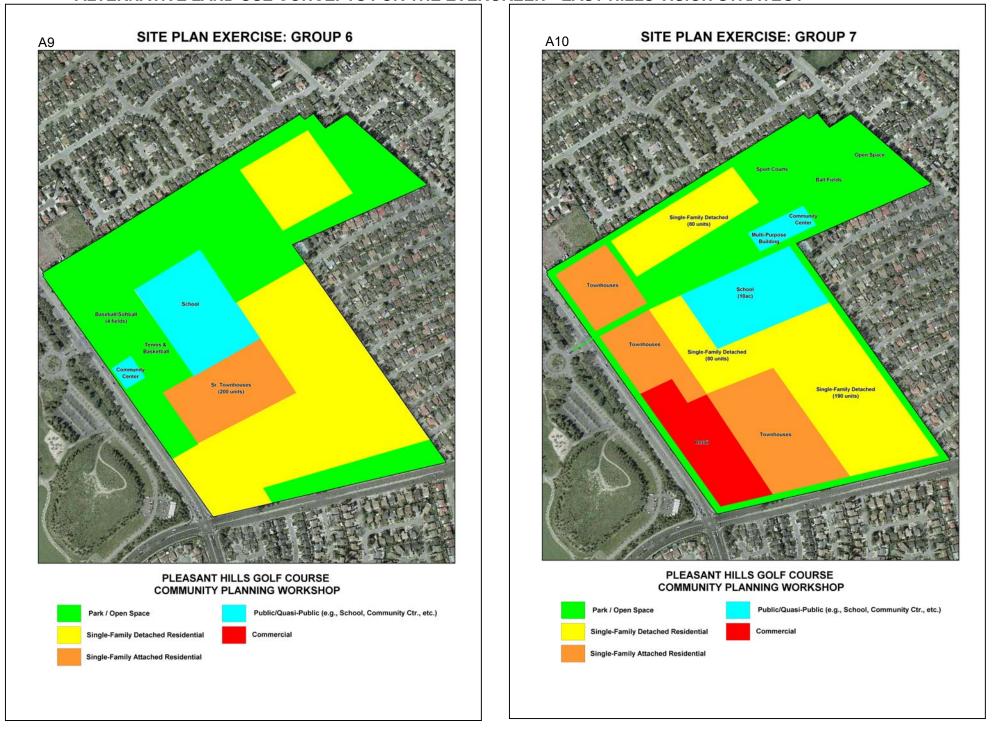


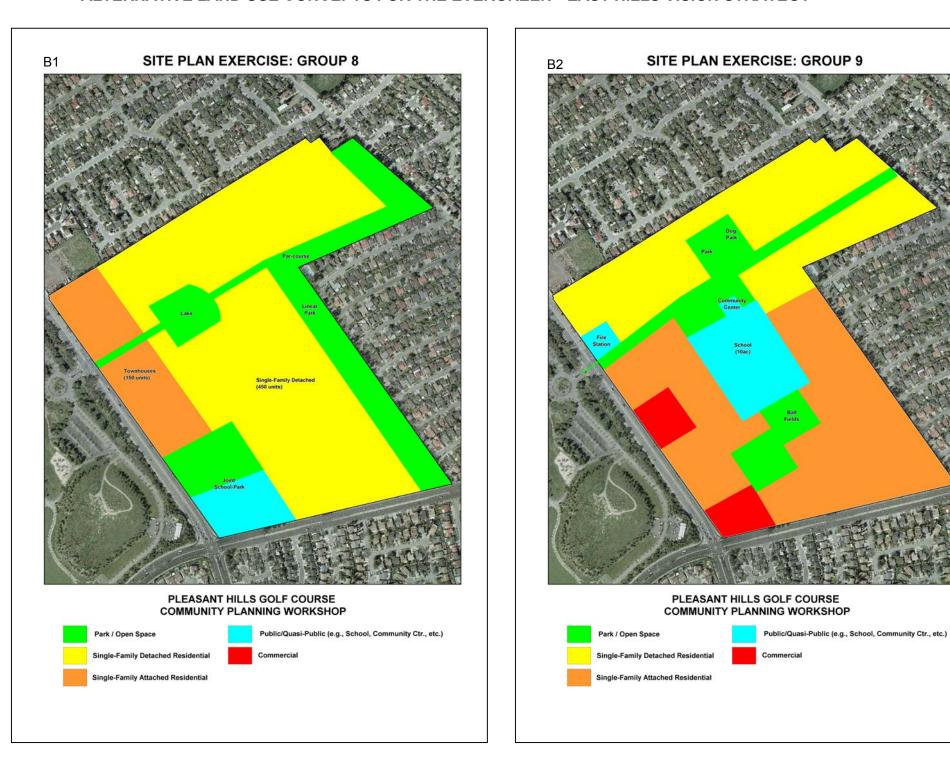


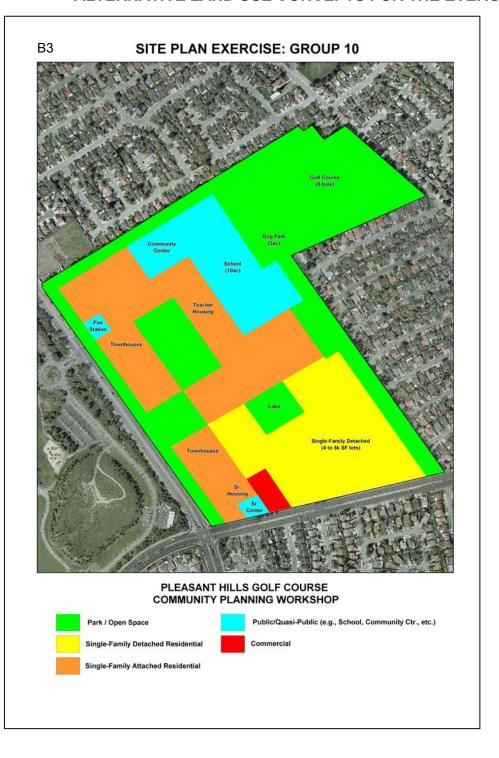












# West Evergreen SNI/NAC Proposal for the Arcadia Site

### Scenario 1 - 1,875 units

We support the housing application by the developer for 1,875 units and 100,000 square feet of retail only if the other three sites will not have a significant change with their housing unit counts. Likewise, rental and ownership must at least be 40/60 ratio. We would like to reserve the right to have an input also with the type of retail to be considered later.

# Scenario 2 – 1,690 units

If scenario #1 would not materialized, we would like to submit this alternative which was extracted from the Knights Foundation (Charette) study. Please note that this second proposal will still be confirmed by the neighborhood at the August SNI meeting.

# Summary:

Number of Households:

Multi-family-

For Rent 980 units For Sale 330

Single family attached

For Sale 380 1,690 units Total

Breakdown (negotiable):

Garden homes	65 units
Townhomes	210
Affordable/multi-family (20%)	
Seniors/Retirees	263
Empty nesters	75
Traditional/non Traditional families	493
Singles & couples	584
Total	1,690 units

# Allocation:

For sale - count	(42%)	710 units
For rent - count	(58%)	980
Total		1,690 units

# Scenario 3 – 1,500 units

If a drastic reduction would be presented by the EEHS task force & the developer, this 3rd option will be recommended highly to the residents to at least achieve our top priority, that is, the community center.

# Summary:

Number of households:

Multi-family:

For rent 900 units For Sale 300

Single family attached

For sale 300 Total 1,500 units

Details (negotiable):

Garden homes 65 units Townhomes 210

Affordable/Multi-family (20%)

Seniors/retirees 240
Empty nesters 60
Traditional & non-traditional families 416
Singles & couples 509
Total 1,500 units

Allocation:

For sale - count (40%) 600 units For rent - count (60%) 900 Total 1,500 units

As for retail or commercial space, a 150,000 square feet of space would be acceptable with the following distribution:

minimum -

50,000 square feet with 2 stories residential and 100,000 square feet with office over retail

maximum-

75,000 square feet with 2 stories residentail and 75,000 square feet with office over retail.

THE LETITIA BUILDING 70 S FIRST STREET SAN JOSE CA 95113-2406

MAILING ADDRESS P O BOX 1469 SAN JOSE CA 95109-1469



TELEPHONE: 408.286.9800 FACSIMILE: 408.998.4790 www.hopkinscarley.com

August 2, 2006

JOAN R. GALLO Of Counsel jgallo@hopkinscarley.com 408-286-9800

Via e-mail: john.baty@sanjoseca.gov

John W. Baty
City of San Jose
Planning, Building & Code Enforcement
Planning Services Division
200 East Santa Clara Street
San Jose, CA. 95113-1905

Re: Alternatives for the Evergreen Valley College Site

Dear Mr. Baty:

I am writing on behalf of Canyon Creek Plaza, LP, the owner of Canyon Creek Plaza, and Shappell Industries of Northern California, the owner of the Evergreen Village Center to request that alternative land uses for the Evergreen Valley College (EVC) site be considered as part of the Evergreen-East Hills Vision Strategy.

As you are aware, we are urgently requesting that the Evergreen Task Force foster, rather than adversely impact, existing shopping centers such as Canyon Creek on Silvercreek Road and Evergreen Village by denying the Evergreen Community College District's request for approval of a major supermarket at the Evergreen Valley College site on San Felipe Road. Eleven supermarkets occupying over 434,000 square feet of building space already currently exist within 3.5 miles of the EVC site. The market demand for yet another major grocery store in the area does not exist and the success of such a store at the EVC site will necessarily be at the expense of a substantial share of sales from existing markets.

Indeed in the past, the Planning Staff has consistently recommended against retail over-saturation of the area. In 1994, 1995 and again in 1996, Planning Staff noted that approving a large retail center, including a major grocery store, in this area would be contrary to the General Plan, and would undermine the commercial strategy of the Evergreen Specific Plan.

In recommending against a 1996 College District proposal that included a major grocery store, in its General Plan Annual Review Staff Report, Planning Staff found that the addition of commercial square footage at the amounts proposed "could weaken existing centers as well as the planned commercial uses in the Evergreen Village

John W. Baty August 2, 2006 Page 2

Center by oversupplying the retail market. Future commercial needs for the entire Evergreen area were addressed during the planning stages for the residential development. The Village Commercial Center is the planned neighborhood business district intended to be the retail activity and visual hub of the area...." Staff further noted that a new commercial center would "severely impact the planned commercial Village Center," "would dilute consumer markets for all existing commercial centers within a three-mile radius...."

Even the College District recognized these concerns when it removed a major grocery store from its original proposal for the site. In an October 23, 1996 letter regarding the revision to its request for a General Plan amendment, Michael Hill, then the District's Vice Chancellor, wrote: "Very importantly, by excluding a full service grocery operation, the revised amendment is intended to complement and not adversely impact the commercial Village Center in the Evergreen planned residential community."

The College District's retail plans for the site today are not appreciably different than they were previously. The same compelling reasons against developing a major grocery store at the site still exist.

It is axiomatic that land use decisions should be based on the community interest, not merely the interest of the property owner in maximizing the land use value. However, currently no substantive alternatives are being considered for the EVC site, other than alternate locations for a library on the site. A number of other opportunities exist for the use of this land irrespective of whether the library is located at Yerba Buena Road or San Felipe Road.

Below are uses which need to be analyzed from an objective land use perspective, rather than merely deferring to the District's preference. If public use of the site is not being considered, each of these alternatives represent a productive and viable land use that will benefit the community without unnecessarily harming neighboring retail centers, such as Canyon Creek Plaza and Evergreen Village. We urge the Task Force to consider the following alternative uses:

1. Health Club. A large health club designed from about 40,000 to 70,000 square feet could be located at the site to serve as many as 4,500 members with an average attendance which can reach 1,000-1,200 persons daily. Given the demographics of the area, the health club business should prosper. There is no oversaturation of health clubs in the vicinity, and they tend to attract a variety of compatible shops and services (e.g. Starbucks, Peet's Coffee, Jamba Juice, Supercuts, Coldstone Creamery, etc.). There needs to be substantial parking for such a use, but shared parking with office space works well.

B5 cont.

John W. Baty August 2, 2006 Page 3

- 2. Additional Office Space. More office space is needed in the area, and could be developed *in lieu* of expanded retail so as to not to draw business away from nearby retail sites.
- 3. Non-Grocery Retail Anchors. Many non-grocery retail anchors could succeed at this location and would not detrimentally effect anchor stores at Canyon Creek Plaza and Evergreen Village. Such potential anchors include the following types: family clothing (e.g., Old Navy), discount variety store, bedding & housewares (e.g., Crate & Barrell, Williams-Sonoma, Bed, Bath & Beyond), home furnishings (e.g., Pier 1), sporting goods store (e.g. Big 5, REI), bookstores (e.g., Barnes & Noble, Borders), office supply store (Staples, Office Max), and specialty retail stores (e.g., Michael's, Petco) to name a few.
- 4. Mixed Use Housing. The EVC site also could be developed as a mixed-use site by including apartments or condominiums above some of the retail or office uses just described and/or above other neighborhood serving retail space. These could be market rate or affordable housing units.

These four alternatives should be considered by the Evergreen Task Force as each represents uses that are more consistent with past planning efforts and would enhance and serve the community without the detriment to neighboring retail centers. Again, we ask that the land use decision be made based on the long-term best interest of the community, and not merely the desire of the College District.

Sincerely,

**HOPKINS & CARLEY** 

A Law Corporation

Joan R. Gallo

JRG/bm

Cc: Ed Abelite Kelly Erardi



# LAND USE PROPOSAL

### THE EVERGREEN \* EAST HILLS VISION STRATEGY

# **EXECUTIVE SUMMARY**

A group of residents from District 8 believe the quality of life, management of congestion, improvement of regional transportation, encouraging economic development, and promoting affordable housing can be achieved by adopting our land use proposal. Surrounding districts affected by development have been accounted for in this plan as well as the landowners. We believe that we have struck a balance between sensible development and residential quality while creating a large pool of resources for beneficial improvement, thus creating a winwin partnership for the City. The City has a responsibility to provide transportation and amenity needs to its residents. District 8 is making a very substantial contribution by this proposal generating funds and land resources to create community assets. By engaging in a partnership with the City as well as with residents and landowners, we are demonstrating how the needs of all concerned parties can be addressed while also ensuring that all concerned and involved parties exercise real responsibility. This sharing of risk, reward, and responsibility are essential to purposeful development of our City. Thank you for your attention.

We ask for your full and serious consideration of this proposal. It is a sober yet optimistic program that understands that this land use decision is citywide in its implications. It has much to offer to the entire City, the District, as well as the economic stakeholders. Our plan preserves the jobs-housing balance, spurs healthy economic growth, and manages congestion; all of these elements are vital to maintaining a healthy, sustainable community. Please adopt our plan as the proposal for the Evergreen \* East Hills Vision Strategy.

# Brief Summary of Our Proposal for Maximum Housing Units Allowed

Retain Campus Industrial

				Golf	
	Arcadia	Berg/IDS Legacy		Course	College
Large Lot					
Conventional	0	450	0	200	0
Small Lot					
Conventional	0	150	0	150	0
Small Lot AL	0	125	0	150	0
Town Home	700	75	0	100	50
Multi-Family	700	0	0	0	100
Affordable/Work	400	0	0	0	250

016.25% 650

Background Units

Total

						Units	TOLAI
Total units	1800	800	0	600	400	400	4000
Net acres	81	200	120	114	27		542